

7/22/01

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - JULY 24, 2001

(The Honorable William F. Stone Jr. Presiding)

(Start _____ Recess _____ / _____ Stop _____ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. - PRE-TRIALS IN COURTROOM

Largen ERIK & CHRISTINE COLLIER - Ch. 7 7-00-02882 Wick
A/P No. 7-00-00266: Determine validity, priority & extent of lien
Debtors v. Jay Johnson Toyota ()
-contd fr 3/21 & 5/22

Hutchinson MICHAEL & ROXANNA CREASY-ch13 7-00-03883 Widener/S
A/P 7-01-00046: Det. Liens
Debtors v. citifinancial, pka Commercial Credit corp; pks Security Pacific
Financial Services and Wade robinson, Trustee under Deed of Trust

Carmody JERRY LOWE-ch7 7-92-00974 Wick/BP
Motion #2: avoid lien - filed 6/8
Debtor v. The Clinic - d/e # 39, 43

Motion #3: avoid lien - filed 6/8
Debtor v. The Clinic - d/e # 40, 44

Motion #4: avoid lien filed 6/8; d/e # 41; 45
Debtor v Humedicenters Inc nka Galen-Med Inc c/o Registered Agent Daniel S.Brown

Motion #5: avoid lien - filed 6/8; d/e # 42; 46
Debtor v. Fichlands Medical Associaiton, dba Mattie Williams Hospital

9:30 A. M. - PRE-TRIALS IN COURTROOM

Kendrick	PEARL SMITH-ch7	7-01-02367	Wick/BP
	Motion #1: Relief - filed 6/25; FEE paid 6/27		
	Tri Cities Financial (Copeland) v debtor & trustee d/e # 10		

Carmody	MICHAEL & ANGELA SLUSS-ch7	7-01-01256	Wick/JJ
	Motion #1: Avoid lien - filed 7/2; d/e # 20, 21		
	Debtor v. American General Finance Inc		

10:00 A. M. - MISCELLANEOUS HEARINGS

Gifford	BILLY & GLORIA LITTON-ch7	7-01-01617	Wick/BP
	Motion of Debtors to dismiss case; filed 6/25; d/e # 16		

Copeland	LLOYD & DALE MEADOWS-ch7	7-00-03071	Callahan/VS
	Motion of Debtor for Contempt Order re: Bank One Capital Markets d/e # 16		
	<u>-contd fr 5/22 -AMENDED NTC filed rescheduling hearing from 7/24 to 6/20</u>		
	-SETTLED by ORDER entered 6/21; hrg cancelled		

Copeland	WOOD WORLD, INC. - Ch. 7	7-97-01796	McDow/JJ
	Objection filed by Donald and Delphia Jensen to proposed final distribution and final report (d/e # 76)		
	-Response filed by U.S.Trustee to obj to proposed final distribution d/e # 78		
	-contd fr 5/22		

10:00 A. M. - MISCELLANEOUS HEARINGS

Largen	PATRICK & SASHA SUTPHIN-ch7 Trustee Motion to dismiss CASE d/e # 9, filed 4/20 ; contd fr. 5/22 & 6/20 <u>–Order of 7/19 dismissed trustee motion; cancels hearing</u>	7-01-00560	Wick/JJ
Carroll	LORRAINE WARD-ch7 Motion #1: Avoid lien Debtor v American General Finance - filed 6/8; d/e # 12, 13	7-01-00891	Wick/VS
Farthing	KERMIT & KIMBERLY SHRADER - Ch. 7 Motion # 1: Avoid lien d/e # 11 Debtors v. Beneficial Finance () <u>ORDER entered 7/12 avoiding lien</u>	7-01-01105	Callahan/MC
Farthing	BUFORD & JOYCE GRUBB - Ch. 7 Motion # 1: Avoid lien – d/e # ____ Debtors v. Beneficial Finance () <u>–ORDER of 7/12 voided lien</u>	7-01-01107	Callahan/BP
Farthing	JAMES & TERESA SHELTON - Ch. 7 Motion # 1: Avoid lien Debtors v. American General Finance () d/e # 12 <u>–ORDER of 7/11 voided lien</u>	7-01-00936	/JJ

10:00 A. M. - MISCELLANEOUS HEARINGS

Lamie	NANCY STARR-ch7	7-99-00905	Callahan/MC
	Motion of Washington County VA for allowance and payment of administrative expenses by Fred W. Parker Treasurer (Bright)		
	<u>Objection: Debtor</u> filed 7/2; d/e # 138		
Large	ROGER LARGE- reop 6/22/01 d/e #68	7-95-03348	Money/
	Debtor Motion to compel Peoples Bank & Trust Co of Hazard to be held in contempt of court and be ordered to immediately divide stock and remove debtor's name from remaining stock certificate d/e # 64, filed 6/18		
Carmody	CHARLES SALYERS, II, & MELISSA SALYERS	7-01-01245	Wick/MC
	Motion to Bifurcate and Convert Joint Debtor (Melissa J. Salyers) d/e # 18		
Widener	RAYMOND CLAPPSE - Ch. 7	7-01-01998	Callahan/AF
	Motion # 1: Relief		
	Highlands Union Bank (Hutton) v. Debtor & Trustee – d/e # _____		
Copeland	G & A COAL CO INC-ch7	7-99-02321	Callahan/GoldsteinVS
	Motion of Trustee (Goldstein) to approve sale and approve commission/ d/e # 224, Filed 7/5		

10:00 A. M. - MISCELLANEOUS HEARINGS

Rhue	JAMES BALL -ch7	7-99-02518	Callahan/AF
	Motion of debtor for declaratory judgment against first Bank & Trust Company filed 7/5; d/e # 49 <u>Motion to Dismiss Motion for Declar. Jdgt. (Esposito) filed 7/19; d/e # 50</u> <i>-Note: Jessee's office notified court that an order will be tendered to withdraw d/e #49</i>		
Gifford	CHARLES & BETTY HALL_ch13	7-99-03036	Widener/JJ
	Motion #2: Relief - filed 7/2; d/e # 38, 39 The Bank of New York as Trustee under The Pooling and Service Agreement Dated as of Nov. 30, 1996, Series 1996-D (Sasser) v. debtors & trustee <u>-Response filed 7/11; d/e # 41</u>		
Hutchinson	KENNETH SCHRADER-ch7	7-01-01420	Callahan/SJ
	Motion #1: Relief - filed 6/29, d/e # Amsouth Bank (Hutton) v. debtor & trustee -AGREED o rder 7/22/01		
Fleenor	DAVID & ELIZABETH MCELFRISH-ch7	7-02-02066	Wick/JJ
	Motion #1: Relief - filed 6/29; d/e # Mitsubishi Motors Credit of America (VanBeek) v. debtors & trustee		
Gifford	LONESOME PINE FOOD MARTS INC-ch7	7-98-00500	Callahan/SO
	Obj to claim #31 IRS - d/e # 100 -Ord of 7/6 extended time for IRS to respond		

11:00 A. M. - MISCELLANEOUS HEARINGS

Wick	DEBORAH HEFFINGER-ch7	7-01-01612	Callahan/SJ <u>O/C</u> 9/25
	Objection of Trustee to claim of exemptions filed 6/22; d/e # 11 --Order of 7/18 contd hearing to 9/25 @ 10:00		
Copeland	COSMO & JESSIE AMBURN-chll	7-96-02151	DIP/VS
	Showcause; failure to comply with Local Rule 3022-1 (file final report;etc re: substantial consummation)		
	Final Report hearing – d/e # 200		
Copeland	THOMAS DUNN-chll	7-98-02465	DIP/MC
	Disclosure Statement Objection: U. S. Trustee (Cosby) – d/e # 154		
	Motion of Debtor to sell real estate located in Bland County Va to sister, Sarah Dunn Brackens for \$150,000 d/e # 151, filed 7/2 Objection: U. S. Trustee (Cosby) filed 7/6; d/e # 152 First Community Bak NA (W.Stafford) filed 7/17; d/e #153		
Leonard/ Jessee	HOLSTON FURN. OF VA INC-chll	7-01-01181	DIP/VS
	Status hearing ntc d/e # 8		
Moffatt/ Fleenor	VERNON & MELISSA LOVE-ch7	7-96-04295	Wick/MC
	<i>Fees Paid , case reopened 6/1/01; and File Recd from Archives 6/12/01</i> <u>Motion # 1: Avoid lien</u> ; contd from 6/20 ; contd further from 7/10 Debtors v. Highlands Union Bank (Hutton) OBJECTION: Highlands Union Bank (Hutton) filed 6/14; d/e #		

11:00 A. M. - MISCELLANEOUS HEARINGS

White	W & L LEASING & ENGINEERING-ch11	7-99-03015	DIP/ MC
	Adequacy of Discl. Stmt.		
	Objection: U. S. Trustee (Garber)		

Motion #7: Relief and/or rejection of lease filed 6/20; d/e # 172, 173
Wells Fargo Equipment Finance Inc (White/Kieffer) v. debtor
Response of debtor filed 7/5, d/e # 174; contd from 7/10

Lamie	SAMUEL BANKS - Ch. 11	7-96-01240	DIP/NS
	U. S. Trustee's Motion to Compel Filing of Monthly Reports (Garber)		

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Jessee	DESKINS SUPERMARKET INC-ch7	7-99-03384	Callahan/AF
	Motion of Trustee to approve settlement with Beth Deskins for sum of \$5700		
	filed 7/3; d/e # 124		

Motion of trustee to approve settlement with Claudine A. Deskins for \$17,500
Filed 7/3; d/e # 125

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Gifford	JAMES, SR., & LOIS WYATT - Ch. 13	7-01-01301	Widener/VS
	Plan modified 5/29;		

Trustee Motion to dismiss/convert contd from 7/10 calendar; d/e # 14

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Hutchinson JOHN & RHONDA NUNLEY-ch13 7-01-01382 Widener/SJ

Conf. cont'd from 7/10; PLAN FILED 6/4 W/C-S; D/E # 22, 23
Motions of Trustee to convert/dismiss filed 6/20; d/e # 24 & #16
Note: Eval. Mot filed on 6/21 noticed for 8/15 @ 1

(Mot of Trustee, d/e # 16, filed 5/15, heard on 6/20 was contd to be heard w/conf 7/10);
Above motion d/e # 24 was filed on 6/20 with notice for 7/10

MOT TO CONVERT & \$15 F.F. RECEIVED 7//19

Proctor GARY HAMMER-ch13 7-00-04114 Widener/VS

Mod Plan filed 6/7/01 d/e # 31, 32
Objection: Trustee w/showcause on dismissal or conversion, d/e #35 filed 6/21

Timoney ANDREW & PATRICIA DEBORD-ch13 7-01-00303 Widener/PR

Mod Plan filed 5/31; d/e # 30
Objection: Washington Mutual Finance (Hutton) filed 7/2; d/e # 43

Objection of Trustee & Showcause on Dismissal, d/e # 14, contd from 6/5

Motion #1: Relief - filed 6/27; d/e # 40, 41
Washington Mutual Finance (Hutton) v. debtors & trustee
Response of Debtor filed 6/29; d/e/ # 42

Lamie DAVID & WANDA JACKSON 7-00-01721 Widener/VS

Mod Plan filed 3/14 **d/e # 69, 70** ; contd from 5/8 & 5/22 & 6/20
Objection: H.Jax Bowman et als (Hutton) **d/e # 80** – resolved 6/20: **O/E 6/22**
Highlands Union Bank (Hutton) **d/e # 81** -contd fr 6/20

Motion of Trustee to convert or dismiss filed 1/17 **d/e # 54**
–contd fr 2/21; 3/21 to hear w/4th Mod Plan. filed 3/14; contd from 5/8 & 5/22 & 6/20

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Via PETER & TERRIE PRYOR 7-00-03624 Widener/SJ
Mod Plan filed 5/3; d/e # 37, 38 c/s all creditors **contd from 6/20**
Cert. of Service filed 5/9 d/e # 39

Motion #1: Relief - filed 5/30; d/e # 45 – contd fr 6/20
Dovenmuehle Mortgage Inc (Patterson) v. debtors & trustee
ANSWER filed by Debtors 6/5, d/e # 48

Hutchinson JERRY & SHARON SINGLETON 7-01-01378 Widener/ AF
Plan filed 3/30; d/e # 6
Objection: Trustee w/showcause on dismissal or conversion, d/e # 16 ;

Largen STEPHEN & REBECCA KREJCI-chl3 7-00-01965 Widener/MC
Mod Plan filed 6/4

Motion #1: Relief - filed 3/29; d/e # 31, 32, contd from 4/18, 5/8 & 6/5
Wells Fargo Home Mortgage Inc (Sasser/White) v. debtors & trustee
Response filed 4/9

Timoney CLIFFORD & CYNTHIA CHAPMAN-chl3 7-01-00818 WidenerAF
Plan filed 3/1; d/e # 6; amended 4/10 w/limited service, d/e # 14
Objection: Trustee w/Showcause on dismissal, d/e # 18
Conseco (Chappell/Esposito) to plan & amended plan *

Supplemental Objection and notice of show cause filed by Trustee on 6/11; d/e # 22

*contd from 6/5 for Conseco to obtain appraisal of m/h collateral

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Largen JACKIE & SANDRA PLUMMER-ch13 7-01-00009 Widener/JM
Mod Plan filed 4/18; d/e # 17, 18; contd from 6/5 w/trustee Motion to Dismiss/
Convert – to file eval. Mot re Citifinancial & catch up pmt arrearages

Carmody PAMELA MONK 7-01-00703 Widener/PR
Plan filed 4/23; d/e # 13 - contd fr 6/5
Objection: Huntington National Bank (Black/Hale) filed 5/24; d/e # 21
Trustee – d/e #27

Motion of Trustee to Dismiss, d/e # 18, contd fr 5/22 & 6/5
Motion of Trustee to Convert or Dismiss filed 6/19 – d/e #27

Fleenor DAVID, JR., & JULIE FOORE - Ch. 13 7-01-00718 Widener/AF
Mod. Summary of Plan filed 5/21
Objection: Oakwood Acceptance Corp. (Maxwell) d/e # 22

Obj of Trustee and Motion on dismissal, d/e # 15; contd from 6/5

Motion for valuation: Citifinancial: 91 ford Probe, d/e # 16 & 17, filed 5/21 contd
from 6/20 to either tender consent eval order or ltr from creditor stating mot.unopposed
OR renoticing w/service upon proper parties under R7001.
–ORDER of 7/18 (agreed) fixed value of collateral; cancels hearing

Timoney TAMMY MCGRADY-ch13 7-00-03607 Widener/BP
Mod Plan filed 3/19 **d/e # 22, 23** contd fr 5/22 for filing of pleadings ref 2nd d/t

1:00 P. M. - MISCELLANEOUS HEARINGS

Largen ELLEN DUTTON-chl3 7-98-02817 Widener/BP
Motion of Trustee to convert/dismiss filed 5/2; d,e # 23, contd from 6/20

Moffatt HAROLD(deceased) & SARAH BLEVINS-chl3 7-97-01137 Widener/BP
Motion of Trustee to dismiss/convert filed 5/2, d/e # 45, contd from 6/20

Timoney BRENDA FLEENOR-chl3 7-00-00906 Widener/JJ
Motion of Trustee to Dismiss/Convert, filed 5/2, d/e # 25 contd fr 6/20

Gifford KEROME & TINA PRESLEY-chl3 7-00-04030 Widener/PR
Motion of Trustee to Dismiss/Convert, filed 5/2, d/e # 20 contd fr 6/20 B

Proctor FRANKIE & NORMA WILSON-CH13 7-97-03541 Widener/VS
Motion of Trustee to showcase : convert/dismiss; filed 5/3`; d/e #19

1:00 P. M. - MISCELLANEOUS HEARINGS

Carmody CHRISTOPHER & RHONDA PHILLIPS 7-98-03980 Widener/AF
Motion of Trustee to showcause : convert/dismiss; filed 5/3`; d/e #36

Hutchinson TED SAGE 7-99-00412 Widener/SJ
Motion of Trustee to showcause : convert/dismiss; filed 5/3`; d/e #31
MOT TO CONVERT & \$15 f.f. FILED 7/19

Timoney JOHNNY & ANEITA LIGHT - Ch. 13 7-98-04057 Widener/BP
Trustee's Motion to Dismiss or Convert to Ch. 7 – d/e # 24

Money BETTY HARRIS-ch13 7-00-02120 Widener/SJ
Motion of Trustee to showcause : convert/dismiss; filed 5/3`; d/e #42

Copeland DENNIS & JANICE KEEN-ch13 7-97-02266 Widener/JJ
Trustee Motion to dismiss or convert (failure to make plan pmts) d/e # 48; filed 5/25

Largen DIANA HOWORTH-ch13 7-97-04950 Widener/MC
Motion of Trustee to showcause : convert/dismiss; filed 6/14`; d/e #44

1:00 P. M. - MISCELLANEOUS HEARINGS

Lamie	JAMIE <u>KEETER</u> & CONNIE <u>WEAVER</u> -chl3	7-99-01549	Widener/S
	Motion of Trustee to showcause : convert/dismiss; filed 6/14`; d/e #49		
Largen	ROBERT & TAMMY BECK -chl3	7-98-04137	Widener/BP
	Motion of Trustee to showcause : convert/dismiss; filed 6/14; d/e #22		
Copeland	DANNY & EDNA SALYER	7-98-01037	Widener/BP
	Motion of Trustee to showcause : convert/dismiss; filed 6/14; d/e #42		
Proctor	EUGENE & STELLA YATES-chl3	7-01-01820	Widener/SJ
	Trustee Report, Objection and Motion to dismiss/convert filed 6/22 d/e # 16 w/ notice of 7/24 hearing date @ 1:00 ; conf. is set 8/15		
Copeland	MARK & LISA NEWMAN-chl3	7-01-02121	Widener/VS
	Trustee Report, Objection and Motion to dismiss/convert filed 6/22 d/e # 22 w/ notice of 7/24 hearing date @ 1:00 ; conf. Mod filed 7/13 is set 8/28		
	Motion #1: Relief - filed 6/29; d/e # 26, 27, Conseco Finance Servicing (Chappell) v. debtors & trustee Objection: Debtors filed 7/5; d/e # 30		

1:00 P. M. - MISCELLANEOUS HEARINGS

Copeland BILL GREEVER SR-chl3 7-98-00088 Widener/AF
Motion to compel debtor to sell real estate and set specific deadline for same
filed by First Va. Bank-Clinch Valley and First Century Bank (Jessee_) filed 7/5
d/e # 215
(Per phone, no obj to continuance to 8/15 to hear with Tr. Mot/Dismiss/Conv)

Motion of Debtor to sell property & shorten notice requirement filed 7/12; d/e # 218

(Note: Trustee motion to convert/dismiss set 8/15 @ 1)

2:00 P.M. MISCELLANEOUS HEARINGS

Carmody DANIEL & GEORGIA THOMPSON-chl3 7-97-00549 Widener/S
Motion for Hardship Discharge - 11 USC §1328(b) **d/e #51, 54** ; contd fr 6/5
Objection: Trustee d/e # 56

Note: Trustee showcase; dismiss/convert; failure to file hardship dischg